



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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JANICE K. BREWER
Governor

DEBRA RINAUDO
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS MEETING MINUTES
June 5, 2009

Amended 7/21/09

Members Present: Laura de Blank, Jose Herrera, Kahryn Nix, Gloria Gabler, Doug Mitchell, Diane Brassea
Members absent: Ruth Lee
Staff Present: Patricia Reynolds, Marc Harris, A.A.G., Christopher Munns, Solicitor General's Office,
Patricia Reynolds, Lynanne Chapman, Mary Wilson, Elma Brambila

1. Call to Order

The meeting of the Arizona Board of Behavioral Health Examiners was called to order on June 5, 2009, at 9:10 a.m. with Ms. de Blank presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

Dr. Gabler moved, seconded by Ms. Nix, to approve the general meeting minutes from May 1, 2009, as submitted. The motion passed unanimously. Mr. Herrera abstained from the vote.

Ms. Nix moved, seconded by Dr. Gabler, to approve the executive session minutes from May 1, 2009, as submitted. The motion passed unanimously. Mr. Herrera abstained from the vote.

4. Consent Agenda: review, consideration and action

Members requested that item P be pulled from the consent agenda and considered separately.

A. 2008-0105, Euvada Beaton, LSAT-12021

Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to accept the proposed signed consent agreement.

B. 2008-0073, Jean Carlin, LMSW-10679

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to dismiss the complaint.

C. 2006-0099, Ernest Cofrances, LPC-0899

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to release the professional from the consent agreement.

D. ND09-0003, Larcy Dunford, LAC-12524 and LPC applicant

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to approve the LPC license subject to the proposed signed non-disciplinary consent agreement and to approve release from the non-disciplinary consent agreement.

E. 2008-0062, Kelly Finn, LISAC-10886

Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to release the professional from the consent agreement.

F. 2007-0094, Kristine Hanson-Deller, LMSW-12552

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to release the professional from the consent agreement.

G. 2009-0081, Jesse Hash, LCSW applicant

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to dismiss the complaint.

H. 2009-0084, William Heran, LCSW applicant

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to dismiss the complaint.

I. 2009-0027, Diane Herbertson, LMSW applicant

Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to accept the proposed signed non-disciplinary consent agreement.

J. 2008-0095, Marcello Lee, LISAC-11400

Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to dismiss the complaint.

K. 2008-0096, Laura Lindsay, LMSW-12305 and LISAC-11541

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to dismiss the complaint.

L. 2009-0078, Dawn Malone, LCSW-11767 and LISAC-11808

Review, consideration and action regarding acceptance of the proposed signed consent agreement.

M. 2009-0106, 2008-0039 and 2005-0022, Alyssa Mandel, LCSW-10473

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to accept the proposed signed consent agreement.

N. 2008-0099, Kim McIntyre, LPC-12760

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to dismiss the complaint.

O. 2009-0001, Nick Myers, LISAC-10368

Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to dismiss the complaint.

P. 2008-0075, Candace Shelton, LISAC-1683

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to accept the proposed signed consent agreement.

Ms. Nix commented regarding items in the investigative report she felt represented the investigator's opinion.

Following review and discussion by members, Ms. Nix moved, seconded by Mr. Herrera, to approve the Counseling Credentialing Committee's recommendation to accept the signed consent agreement. The motion passed unanimously. See attached roll call.

Q. 2008-0113, Sharon Tanner, LMSW-11776

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to accept the proposed signed consent agreement.

R. 2007-0009, Rebecca Williamson, LPC-10260

Review, consideration and action regarding acceptance of the proposed signed consent agreement.

Mr. Herrera moved, seconded by Dr. Gabler, to approve the consent agenda items A – O and Q – R. The motion passed unanimously. See attached roll call. Mr. Mitchell recused from the vote.

The Board took a break at 10:00 a.m., reconvening its public meeting at 10:15 a.m.

5. Administrative Hearings 11:00 AM

A. 2007-0102, Loretta Dunn, LPC-10725 (suspended)

The professional was properly noticed, but did not appear.

Mr. Harris A.A.G., appeared on behalf of the State and requested that the Board accept the signed consent agreement.

Following discussion by members, Mr. Mitchell moved, seconded by Ms. de Blank, to accept the signed consent agreement. The motion passed unanimously. See attached roll call.

B. 2009-0077 and 2007-0028, Julie Passarge, LPC-10101 (suspended)

The professional was properly noticed, but did not appear.

Mr. Harris A.A.G., appeared on behalf of the State and made an opening statement.

Mr. Munns, Solicitor General's Office, appeared on behalf of the Board.

Ms. Martinez, Board Investigator, was sworn in and testified.

Ms. de Blank admitted State's Exhibits 1 – 9 into evidence.

Mr. Harris made a closing argument.

Following discussion by members, Mr. Mitchell moved, seconded by Mr. Herrera, to adopt the factual allegations and charges from the Notice of Hearing as findings of fact and conclusions of law. The motion passed unanimously.

Mr. Mitchell moved, seconded by Mr. Herrera, to issue an order revoking the professional's license. The motion passed unanimously. See attached roll call.

6. Formal Interviews

A. 2008-0005, Steven Brinton, LCSW-1699

Ms. de Blank reviewed the procedure for conducting a formal interview.

The professional's attorney, Charlie Hover, appeared in person and addressed the Board.

Mr. Harris requested that the Board entertain a motion to accept the findings of fact and conclusions of law from the original proposed consent agreement.

Hearing no objection from the professional and following review and discussion by members, Mr. Herrera moved, seconded by Ms. Brassea, to adopt the findings of fact and conclusions of law from the original proposed consent agreement. The motion passed unanimously.

The professional was sworn in and testified.

Following discussion by members, Mr. Herrera moved, seconded by Dr. Gabler, to accept the order from the original proposed consent agreement modified to include completion of a 3-semester graduate level course in assessment, diagnosis and treatment as it relates to the DSM-IV. The motion carried with Ms. Nix and Mr. Mitchell opposed. See attached roll call.

7. Complaints and other disciplinary matters: review, consideration and action

A. 2009-0082, William Jefferson, LMFT-0065 and LPC-0229

Ms. Reynolds summarized the results of the Board's investigation.

The complainant was properly noticed, but did not appear.

The professional appeared in person and addressed the Board.

Following review and discussion by members, Ms. Nix moved, seconded by Mr. Herrera, to remand this matter to formal hearing. The motion passed unanimously.

B. 2008-0022, Donald Miretsky, LPC-0144

Ms. Reynolds summarized the results of the Board's investigation.

The complainant appeared in person and addressed the Board.

The professional appeared in person and addressed the Board.

Following review and discussion by members, Mr. Mitchell moved, seconded by Mr. Herrera, to approve the Counseling Credentialing Committee's recommendation to dismiss the complaint. The motion passed unanimously.

C. 2009-0078, Dawn Malone, LCSW-11767 and LISAC-11808

Mr. Mitchell recused himself from all matters involving Dawn Malone.

Ms. Reynolds summarized the information received by the Board regarding the professional's possible unprofessional conduct.

The professional's attorney, Farin Akin, appeared in person and addressed the Board.

Following review and discussion by members, Mr. Herrera moved, seconded by Dr. Gabler, to forward the consent agreement and the new information received as part of the professional's file to Ohio with a disclaimer that the new information has not yet been investigated. The motion passed unanimously. Mr. Mitchell recused from the vote.

8. Applications for licensure: review, consideration and action

Social Work

Mr. Mitchell moved, seconded by Mr. Herrera, to approve 11 applicants as Licensed Clinical Social Workers and 14 applicants as Licensed Master Social Workers. The motion passed unanimously.

Mr. Mitchell moved, seconded by Mr. Herrera, to deny 1 applicant based on failure to pass the required exam. The motion passed unanimously.

Counseling

Ms. de Blank moved, seconded by Ms. Brassea, to approve 13 applicants as Licensed Associate Counselors and 16 applicants as Licensed Professional Counselors. The motion passed unanimously.

Ms. de Blank moved, seconded by Ms. Brassea, to deny 4 applicants based on failure to meet minimum requirements in supervised work experience and/or education and 1 applicant based on failure to pass the required exam. The motion passed unanimously.

Substance Abuse

Ms. de Blank moved, seconded by Mr. Mitchell, to approve 2 applicants as Licensed Associate Substance Abuse Counselors and 1 applicant as a Licensed Substance Abuse Technician. The motion passed unanimously.

Marriage and Family Therapy

Dr. Gabler moved, seconded by Ms. Brassea, to approve 1 applicant as a Licensed Marriage and Family Therapist and 2 applicants as Licensed Associate Marriage and Family Therapists. The motion passed unanimously.

9. Report from Chair.

A. Chair report

No report.

B. Member reports

No report.

10. Report from the Treasurer

A. Monthly Financial Report

Ms. Reynolds reviewed the monthly financial report.

Mr. Herrera moved, seconded by Mr. Mitchell, to approve the monthly financial report. The motion passed unanimously.

11. Report from the Executive Director and/or staff

A. General Agency Operations

No report.

12. Committee Reports

None

13. National and regional news regarding the profession(s)

None

14. Future agenda items

Discussion regarding allowing VA and IHS employees to use out-of-state licensed clinical supervisors providing supervision in Arizona.

15. Call for public comment

Mr. Roth from CASA Pima County expressed his opinion regarding behavioral health care through CPSA and his disappointment regarding the Board's decision today on the complaint he filed.

16. Establishment of future meeting dates

The next regular meeting is scheduled for July 10, 2009, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

17. Adjournment

Ms. Nix moved, seconded by Mr. Mitchell, to adjourn. The motion passed unanimously and the meeting was adjourned at 12:01 p.m.

Gloria Gabler
Secretary/Treasurer

Date